

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby gives Notice of Intended Action to amend Chapter 24, “Community College Accreditation,” Iowa Administrative Code.

The accreditation rules are being amended to update outdated language and to provide greater clarity about the accreditation process. The Department shared drafts of these rules and had discussions regarding the proposed amendments with representatives from the following stakeholder groups: Iowa Association of Community College Presidents (IACCP), Iowa Association of Community College Trustees (IACCT), Community College Chief Academic Officers, Iowa Arts and Sciences Administrators (IASA), Community College Career and Technical Deans/Directors, Iowa State Education Association (ISEA), Community College Continuing Education Deans/Directors, Community College Business Officers, Community College Human Resource Directors, Community College Student Services Administrators (ICCSSA), Community College Faculty Advisory Committee, Community College Accreditation Advisory Committee, and Community College Professional Development Advisory Committee.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before January 12, 2010, by 4:30 p.m. Comments on the proposed amendments should be directed to Colleen Hunt, Bureau Chief, Bureau of Community College Services, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-0319; E-mail colleen.hunt@iowa.gov; or fax (515)281-6544.

A public hearing will be held on January 12, 2010, from 1 to 2 p.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-3125.

These amendments are intended to implement Iowa Code section 258.4(7) and Iowa Code chapters 260C and 261E.

The following amendments are proposed.

ITEM 1. Amend rule 281—24.1(260C) as follows:

281—24.1(260C) Purpose. As set forth in Iowa Code section 260C.1, the purpose of accreditation of Iowa’s community colleges is to confirm that each college is offering, to the greatest extent possible, educational opportunities and services, when applicable, but not be limited to:

1. The first two years of college work including preprofessional education.
2. ~~Vocational~~ Career and technical training.
3. Programs for in-service training and retraining of workers.
4. Programs for high school completion for students of post-high school age.
5. Programs for all students of high school age, who may best serve themselves by enrolling for ~~vocational~~ career and technical training, while also enrolled in a local high school, public or private.
6. Programs for students of high school age to provide advanced college placement courses not taught at a student’s high school while the student is also enrolled in the high school.

7. Student personnel services.
8. Community services.
9. ~~Vocational~~ Career and technical education for persons who have academic, socioeconomic, or other disabilities which prevent succeeding in regular ~~vocational~~ career and technical education programs.
10. Training, retraining, and all necessary preparation for productive employment of all citizens.
11. ~~Vocational~~ Career and technical training for persons who are not enrolled in a high school and who have not completed high school.
12. Developmental education for persons who are academically or personally underprepared to succeed in their program of study.

ITEM 2. Amend rule **281—24.3(260C)**, definitions of “Minimum of 12 graduate hours” and “Relevant work experience,” as follows:

“Minimum of 12 graduate hours.” Full-time arts and sciences instructors must possess a master’s degree and complete a minimum of 12 graduate hours in their field of instruction. The 12 graduate hours may be within the master’s degree requirements or independent of the master’s degree, but all hours must be in the instructor’s field of instruction.

“~~Relevant~~ Recent and relevant work experience.” An hour of recent and relevant work experience is equal to 60 minutes. The community college ~~will~~ shall determine what constitutes recent and relevant work experience that relates to the instructor’s occupational and teaching area. The college shall maintain documentation of the instructor’s educational and work experience.

ITEM 3. Adopt the following **new** definitions in rule **281—24.3(260C)**:

“Department.” Department refers to the Iowa department of education.

“Director.” Director refers to the director of the department.

“Joint enrollment.” Joint enrollment refers to any community college credit course offered to students enrolled in a secondary school. Courses offered for joint enrollment include courses delivered through contractual agreements between school districts and community colleges, courses delivered through the postsecondary enrollment options program, and college credit courses taken independently by tuition-paying secondary school students.

“Organization.” Organization is synonymous with community college and is used in this chapter to align with accreditation terminology used by the Higher Learning Commission.

ITEM 4. Amend rule 281—24.4(260C) as follows:

281—24.4(260C) Accreditation components and criteria—Higher Learning Commission. In order to be accredited by the state board of education and maintain accreditation status, a community college must meet the accreditation criteria of the Higher Learning Commission and additional state standards. Accreditation shall be maintained either by the Program to Evaluate Academic Quality (PEAQ) or the alternative Academic Quality Improvement Program (AQIP) process. The Higher Learning Commission ~~accreditation~~ criteria for accreditation are as follows:

24.4(1) Mission and integrity. The organization operates with integrity to ensure the fulfillment of its mission through structures and processes that involve the board, administration, faculty, staff, and students.

a. to e. No change.

24.4(2) Preparing for the future. The organization’s allocation of resources and its processes for evaluation and planning demonstrate its capacity to fulfill its mission, improve the quality of its education, and respond to future challenges and opportunities.

a. to d. No change.

24.4(3) Student learning and effective teaching. The organization provides evidence of student learning and effective teaching that demonstrates it is fulfilling its educational mission.

a. to d. No change.

24.4(4) Acquisition, discovery, and application of knowledge. The organization promotes a life of learning for its faculty, administration, staff, and students by fostering and supporting inquiry, creativity, practice, and social responsibility in ways consistent with its mission.

a. to d. No change.

24.4(5) Engagement and service. As called for by its mission, the organization identifies its constituencies and serves them in ways both value.

a. to d. No change.

24.4(6) Documentation. Documents and materials provided in accordance with the accreditation requirements of the Higher Learning Commission shall also be provided to the department for the state accreditation process.

ITEM 5. Amend rule 281—24.5(260C), introductory paragraph, as follows:

281—24.5(260C) Accreditation components and criteria—additional state standards. To be granted accreditation by the state board of education, an Iowa community college ~~must~~ shall also meet ~~five~~ additional standards pertaining to minimum or quality assurance standards for faculty (Iowa Code section 260C.48(1)); faculty load (Iowa Code section 260C.48(2)); special needs (Iowa Code section 260C.48(3)); ~~vocational~~ career and technical education program evaluation (Iowa Code section 258.4(7)); ~~and~~ quality faculty plan (Iowa Code section 260C.36); and senior year plus programs (Iowa Code chapter 261E).

ITEM 6. Amend paragraph **24.5(2)“a”** as follows:

a. College parallel. The full-time teaching load of an instructor in college parallel programs shall not exceed a maximum of 16 credit hours ~~per school term~~ within a traditional semester or the equivalent. An instructor may also have a teaching assignment outside of the normal school hours, provided the instructor consents to this additional assignment and the total workload does not exceed the equivalent of 18 credit hours within a traditional semester or the equivalent thereof.

ITEM 7. Amend subrule 24.5(4) as follows:

24.5(4) Career and technical education evaluation. The director of the department shall annually review at least 20 percent of the approved career and technical programs as a basis for continuing approval. The community college career and technical program review and evaluation system must ensure that the programs:

a. to e. No change.

f. Enable students with a secondary ~~vocational~~ career and technical background to pursue other educational interests in a postsecondary setting, if desired.

g. No change.

ITEM 8. Renumber subrule **24.5(5)** as **24.5(7)**.

ITEM 9. Adopt the following **new** subrules 24.5(5), 24.5(6) and 24.5(8):

24.5(5) Facilities, parking lots and roads.

a. Facilities master planning. Each community college shall present evidence of adequate planning, including a board-approved facilities plan. Planning includes tentative program approval, a master campus plan, written educational specifications, site plot showing location of proposed and existing facilities, elevations and floor plans.

b. Accessibility and safety. All new or remodeled facilities (buildings and programs offered in such facilities) and services in such facilities shall be made functional and usable for persons with special needs and shall comply with Iowa Code chapter 104A and the Americans With Disabilities Act, 42 U.S.C. § 12101, and address issues of campus safety and security as required by Iowa Code chapter 260C and by the federal Clery Act, 20 U.S.C. § 1092(f). All parking areas and roads shall comply with all state and federal rules and regulations dealing with roads, parking ramps, and accessibility requirements.

c. Adequate facilities. All administrative facilities, classrooms, laboratories, and related facilities shall be educationally adequate for the purpose for which they are designed.

d. *Library or learning resource center.* A library or learning resource center shall be planned as part of the master campus plan and space made for library or learning resource center services within the initial construction.

e. *Student center.* An area of the college shall be provided where students may gather informally and where food is available.

24.5(6) Strategic planning. The community college shall prepare a five-year strategic plan to guide the college and its decision making. Consideration shall be given to the five-year statewide strategic plan, as required by Iowa Code section 256.31(4)(a), in the development of the college's strategic plan.

24.5(8) Senior year plus. The community college shall provide access to joint enrollment opportunities for high school age students. Each college shall comply with the appropriate standards defined in Iowa Code chapter 261E.

ITEM 10. Amend rule 281—24.6(260C) as follows:

281—24.6(260C) Accreditation process.

24.6(1) Components. The community college accreditation process shall include the following components:

a. No change.

b. The department of education shall conduct an on-site accreditation evaluation of each community college during the same academic year as the evaluation by the Higher Learning Commission of the North Central Association of Colleges and Schools. An interim evaluation midway between comprehensive evaluations shall also be conducted. The department shall have the authority to conduct focus evaluation visits as needed.

24.6(2) No change.

24.6(3) Accreditation team action. After a visit to a community college, the accreditation team shall evaluate whether the accreditation standards have been met and shall make a report to the director of the department and the state board of education, together with a recommendation as to whether the community college ~~should~~ shall remain accredited. The accreditation team shall report strengths and opportunities for improvement, if any, for each standard and criterion and shall advise the community college of available resources and technical assistance to further enhance strengths and address areas for improvement. A community college may respond to the accreditation team's report.

24.6(4) State board of education consideration of accreditation. The state board of education shall determine whether a community college shall remain accredited. Approval of accreditation for a community college by the state board of education shall be based ~~on~~ upon the recommendation of the director of the department after study of the factual and evaluative evidence on record pursuant to the standards and criteria described in this chapter, and based upon the timely submission of information required by the department of education in a format provided by the department of education. With the approval of the director of the department, a focus visit may be conducted if the situation at a particular college warrants such a visit.

a. *Accreditation granted.* Continuation of accreditation, if granted, shall be for a term consistent with the term of accreditation by the Higher Learning Commission of the North Central Association of Colleges and Schools; however, approval for a lesser term may be granted by the state board of education if the board determines that conditions so warrant.

b. *Accreditation denied or conditional accreditation.* If the state board of education denies accreditation or grants conditional accreditation, the director of the department of education, in cooperation with the board of directors of the community college, shall establish a plan prescribing the procedures that must be taken to correct deficiencies in meeting the standards and criteria and shall establish a deadline for correction of the deficiencies. ~~The plan is subject to approval of the state board of education~~ shall be submitted to the director within 45 days following the notice of accreditation denial or conditional accreditation. The plan shall include components which address correcting deficiencies, sharing or merger options, discontinuance of specific programs or courses of study, and any other options proposed by the state board of education or the accreditation team to allow the college to meet the accreditation standards and criteria.

c. Implementation of plan. During the time specified in the plan for its implementation, the community college remains accredited. The accreditation team shall revisit the community college to evaluate whether the deficiencies in the standards or criteria have been corrected and shall make a report and recommendation to the director and the state board of education. The state board of education shall review the report and recommendation, may request additional information, and shall determine whether the deficiencies have been corrected.

d. Removal of accreditation. The director shall give a community college which fails to meet accreditation standards, as determined by the state board of education, at least one year's notice prior to removal of accreditation. The notice shall be sent by certified mail or restricted certified mail addressed to the chief executive officer of the community college and shall specify the reasons for removal of accreditation. The notice shall also be sent to each member of the board of directors of the community college. If, during the year, the community college remedies the reasons for removal of accreditation and satisfies the director that the community college will comply with the accreditation standards and criteria in the future, the director shall continue the accreditation and shall transmit notice of the action to the community college by certified mail or restricted certified mail.

e. Failure to correct deficiencies. If the deficiencies have not been corrected in a program of a community college, the community college board of directors shall take one of the following actions within 60 days from removal of accreditation:

(1) Merge the deficient program or programs with a program or programs from another accredited community college.

(2) Contract with another accredited postsecondary educational institution for purposes of program delivery at the community college.

(3) Discontinue the program or programs which have been identified as deficient.

f. Appeal process provided. The action of the director to remove the state accreditation of a community college program may be appealed to the state board of education as provided in Iowa Code section 260C.47, subsection 7.

ITEM 11. Amend **281—Chapter 24**, implementation sentence, as follows:

These rules are intended to implement Iowa Code ~~chapter~~ section 258.4(7) and chapters 260C and 261E.